

1 The Honorable James L. Robart
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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 MICROSOFT CORPORATION, a Washington
10 corporation,

11 Plaintiff,

12 v.

13 MOTOROLA, INC., and MOTOROLA
14 MOBILITY LLC, and GENERAL
INSTRUMENT CORPORATION,

15 Defendants.

16 CASE NO. C10-1823-JLR

17 DECLARATION OF CHERYL A.
18 BERRY IN SUPPORT OF
19 DEFENDANTS' MOTION TO
20 EXCLUDE AND STRIKE PORTIONS
21 OF THE EXPERT TESTIMONY OF DR.
22 THEO BODEWIG

23 **NOTED ON MOTION CALENDAR:
Wednesday, July 31, 2013 at 10:00 a.m.**

24 I, Cheryl A. Berry, declare as follows:

25 1. I am an attorney at the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
26 counsel of record for Defendants in this matter. I have personal knowledge of the facts stated
herein and if called to testify could and would competently testify thereto.

2. Attached as Exhibit A is a true and correct copy of excerpts from Microsoft's
Supplemental Interrogatory Responses served April 3, 2013.

3. Attached as Exhibit B is a true and correct copy of a certified translation of the
Judgment of the Regional Court of Mannheim [Germany] pronounced on May 2, 2012.

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1 4. Attached as Exhibit C is a true and correct copy of cited excerpts of the expert
2 report submitted on behalf of Microsoft by Todd Menenberg, dated May 29, 2013.

3 5. Attached as Exhibit D is a true and correct copy of cited excerpts of the transcript
4 of the May 9, 2013 deposition of Jeff Davidson.

5 6. Attached as Exhibit E is a true and correct copy of cited excerpts of the transcripts
6 of the May 22, 2013 deposition of Owen Roberts.

7 7. Attached as Exhibit F is a true and correct copy of the expert report submitted on
8 behalf of Microsoft by Dr. Theo Bodewig, dated June 10, 2013.

9 8. Attached as Exhibit G is a true and correct copy of cited excerpts of the transcript
10 of the July 1, 2013 deposition of Dr. Theo Bodewig.

11 9. Attached as Exhibit H is a true and correct copy of MS-
12 MOTO_1823_000005258265-66.

13 10. Attached as Exhibit I is a true and correct copy of MS-
14 MOTO_1823_00005258267-68.

15 11. Attached as Exhibit J is a true and correct copy of MS-MOTO_1823_0000528272-
16 74.

17 12. Attached as Exhibit K is a true and correct copy of MS-
18 MOTO_1823_00005257641-43.

19 EXECUTED this 3rd day of July, 2013 at Redwood Shores, California.

21 /s/

Cheryl A. Berry
Cheryl A. Berry

CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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DATED this 3rd day of July, 2013.

/s/ Marcia A. Ripley
Marcia A. Ripley

DECLARATION OF CHERYL A. BERRY IN SUPPORT OF
DEFENDANTS' MOTION TO EXCLUDE AND STRIKE
PORTIONS OF THE EXPERT TESTIMONY OF DR. THEO
BODEWIG - 3
CASE NO. C10-1823-JLR

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